

## REMARKS

Selected ones of the original dependent claims have been amended herein merely to correct multiple dependencies, and to conform the claims language using consistent terminology.

Claims 1-15 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Kagawa et al '681. This rejection is respectfully traversed.

These claims various recite "the secondary electrical behavior is analyzed of one or more electronic circuits including electronic components and integrated circuits fed by the power supply," or "means for determining the available power capacity are arranged for analyzing the secondary electrical behavior of one or more of said electronic circuits."

In addition, the dependent claims are further limited by such additional recitations as "behavior of one or more of said electronic circuits in response to the temporary reduction of the supply voltage being applied thereto by the power supply is analysed," or "the supply voltage (or) the supply current is reduced in steps," or "said secondary electrical behavior comprises the resetting or switching to an initial state of one or more of said electronic circuits," or "said means for determining the available power capacity of the power supply are arranged for temporarily reducing the supply voltage of one or more of said electronic circuits."

These aspects of the claimed invention are not disclosed and are not even reasonably suggested by Kagawa et al '681. Specifically, as this reference is understood (including as analyzed by the Examiner), the detector 70 is arranged merely to detect an amount of electric current applied from a voltage regulating circuit 60 to a load device 30, and to apply a signal (which is indicative of the detected amount of electric current) to an I/O interface. In addition, a power source monitoring device (reference #10 in Figure 1) in this reference is understood to diagnose the auxiliary battery 42 by analyzing the load voltage of the load device 30 while it is being supplied by the auxiliary battery 42.

There is, thus, no disclosure in Kagawa et al '681 of any scheme for analyzing available power capacity of an electrical power supply based upon analysis of a secondary electrical behavior of a load connected to such power supply, in any manner resembling Applicant's claimed invention. In contrast, Kagawa et al '681 merely analyzes the voltage or current supplied to the load, and does not analyze a secondary electrical behavior of the load so supplied, as claimed by Applicant. It is therefore respectfully submitted that claims 1-15 are not anticipated by, but instead are patentably distinguishable over Kagawa et al 681.

Claims 16-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chou '320 in view of Kagawa et al '681. This rejection is respectfully traversed.

These claims depend from claim 7 and are submitted to be patentable for that reason and for the additional recited limitations of a transmitter in a tracking and telemetry system being characterized by "means for determining the available power capacity are arranged for analyzing the secondary electrical behavior of one or more of said electronic circuits."

Although Chou '320 pertains to a tracking system, there is no disclosure in this reference as currently understood of any means for determining the available power capacity of a power supply by analyzing a secondary electrical behavior of one or more electronic circuits powered by such supply. And, as the Examiner correctly notes, Chou '320 does not disclose the subject matter of claim 7, and the deficiencies of disclosure of Kagawa et al '681 are discussed in the above Remarks. Thus, merely combining these references as proposed by the Examiner fails to establish a *prima facie* basis, including all recited elements, from which a proper determination of obviousness can be formed. And, it may be further argued that the diagnosis of an auxiliary battery, as disclosed by Kagawa et al '681, for an (hybrid) automobile including an internal combustion engine powered source offers no motivation or incentive, or even any instruction for modifying Chou '320

as proposed by the Examiner to yield anything resembling Applicant's claimed invention. It is therefore respectfully submitted that dependent claims 16-17 are also patentably distinguishable over the cited art.

Reconsideration and allowance of all claims are solicited.

Respectfully submitted,  
Jan Vet

Dated: 12/20/05

By: A.C. Smith  
Albert C. Smith, Reg. No.: 20,355  
Fenwick & West LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
Tel.: (650) 335-7296  
Fax.: (650) 938-5200